

Exhibit 1

Marc Rosenberg

From: Christina Henry <chenry@hdm-legal.com>
Sent: Tuesday, April 16, 2019 12:00 PM
To: Marc Rosenberg; Jason Anderson (jason@alkc.net)
Cc: Marie Vestal Sharpe
Subject: RE: Dickerson - Request for Extension to file Answering Brief

Marc,

To clarify, our request for a stay was made on March 4, 2019 and I requested a stay until the Taggart decision would come down, by late June at the latest. So we were requesting a little over three months.

Also, due to the fact that a motion to extend would have been heard on a third-Friday schedule, and may not have even been decided by the time our brief was due, it would have been extremely inefficient for us to make such a request.

Under other circumstances, I am sure we could accommodate your request. Unfortunately, due to the distinct strategic advantage to your client of continuing the briefing schedule at this late date, I cannot agree to it absent a court ruling.

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From: Marc Rosenberg <Mr@leesmart.com>
Sent: Tuesday, April 16, 2019 11:37 AM
To: Christina Henry <chenry@hdm-legal.com>; Jason Anderson (jason@alkc.net) <jason@alkc.net>
Cc: Marie Vestal Sharpe <mvs@leesmart.com>
Subject: RE: Dickerson - Request for Extension to file Answering Brief

Christina:

You asked for an open-ended stay of the case. I have only asked for 30 days to have time to prepare a brief. If you felt you needed a mere 30-day stay because you were too busy, we would have agreed. Or you could have asked the court. You did not do so, which suggests you felt able to file in time; which makes sense because, while I have one month to file an Answer, you had many months to prepare an Opening Brief.

This request for a brief extension to file an Answering Brief has nothing to do with either my client or obtaining any advantage; I just happen to be really busy with briefing in lots of cases at the moment. I make one final request for the professional courtesy of a stipulated 30-day extension before moving the court.

Please contact us if you have questions.

Marc Rosenberg | Attorney at Law | [VCard](#) | [Email](#) | [Bio](#)

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From: Christina Henry [<mailto:chenry@hdm-legal.com>]
Sent: Tuesday, April 16, 2019 11:26 AM
To: Marc Rosenberg <Mr@leesmart.com>; Jason Anderson (jason@alkc.net) <jason@alkc.net>
Cc: Marie Vestal Sharpe <mvs@leesmart.com>
Subject: RE: Dickerson - Request for Extension to file Answering Brief

Marc,

As you know, I reached out to you in early March to request a stay of the briefing pending the Supreme Court's decision in the Taggart case, and you flatly refused. I sympathize that you have a difficult schedule, but I can't help but notice that a 30 day extension--which you did not request until the day after our opening brief was filed--would likely allow you to file after Taggart is decided. This would give your client an unfair strategic advantage. We were required to devote a good portion of the limited briefing space to numerous contingencies depending on the Taggart outcome, while you may not be so constrained.

Moreover, that your request comes the very morning after my appellate brief was filed suggests that the timing was to deprive my client of the benefit of the ability to request additional time as well – after all, the briefing schedule has been known for quite some time, and it concerns me that you only now “discover” that you have a heavy case load.

While I do not wish to make anyone's work life more difficult, I can only conclude that this request purely benefits your client, after my client was already denied a similar request. As an advocate acting in my client's interests, I cannot see how it would be proper for me to agree under these circumstances.

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From: Marc Rosenberg <Mr@leesmart.com>
Sent: Tuesday, April 16, 2019 9:01 AM
To: Christina Henry <chenry@hdm-legal.com>; Jason Anderson (jason@alkc.net) <jason@alkc.net>

Cc: Marie Vestal Sharpe <mvs@leesmart.com>

Subject: Dickerson - Request for Extension to file Answering Brief

Christina and Jason:

I have an excruciatingly large number of briefs to write over the next few weeks in a number of different cases. Much more than usual. I was hoping that you folks would stipulate to a 30-day extension to file the Answering Brief in this matter. Please let us know if you are agreeable.

Please contact us if you have questions.

Marc Rosenberg | Attorney at Law | [VCard](#) | [Email](#) | [Bio](#)

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